

HOUSE BILL No. 1180

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-1-1-22.

Synopsis: Records of labor investigations and inspections. Provides that the department of labor's records of investigations and inspections are confidential (except for a final report that includes the disposition of the investigation or inspection, including any formal charges filed). Requires that an employer or person being investigated or inspected have at least 14 days after receiving the proposed final report to review and submit a written response before the report becomes final. Provides that the employer's or person's written response becomes part of the final report. Provides for, in addition to the penalty in the public records law for knowingly or intentionally disclosing confidential information, the immediate dismissal of an officer or employee of the state who knowingly or intentionally discloses confidential information under this provision.

Effective: July 1, 2005.

Davis, Borrer

January 6, 2005, read first time and referred to Committee on Employment and Labor.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1180

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 22-1-1-22 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]: **Sec. 22. (a) Except as provided in this section, records of**
4 **the department of labor's inspection or investigation of a**
5 **particular employer or person conducted under the commissioner**
6 **of labor's authority described in this chapter are confidential for**
7 **purposes of IC 5-14-3-4(a)(1).**
8 (b) A final report that includes the disposition of an
9 investigation or inspection of a particular employer or person,
10 including any formal charges filed, is not confidential. A copy of
11 the final report of an investigation or inspection must be sent to the
12 employer or person investigated or inspected.
13 (c) Before a report described in subsection (b) is final and
14 becomes available to the public under IC 5-14-3, the employer or
15 person investigated or inspected must have at least fourteen (14)
16 calendar days after receiving a copy of the proposed final report to
17 review the proposed final report and to file with the commissioner



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1 of labor a written response. If a written response is filed, the
2 written response becomes part of the final report of the
3 investigation or inspection.

4 (d) In addition to the penalty provided under IC 5-14-3-10(a),
5 a person who:

6 (1) is an officer or employee of the state; and

7 (2) knowingly or intentionally discloses information that is
8 confidential under this section;

9 shall be immediately dismissed from the person's office or
10 employment.

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